

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

CARRIE ANNE LICHOSIK,

Defendant.

CASE NO. CR07-5646BHS

ORDER DENYING
DEFENDANT'S MOTION TO
REDUCE SENTENCE

This matter comes before the Court on Defendant's motion to reduce sentence.

Dkt. 23.

On December 12, 2008, Defendant was sentenced to 10 months incarceration and 5 years supervised release. *See* Dkt. 22 (judgment). Defendant now moves to reduce her sentence based on hardship due to her husband's military deployment. The Government opposes Defendant's motion. Dkt. 24.

The Court “may not modify a term of imprisonment once it has been imposed” except upon motion by the Director of Bureau of Prisons under certain circumstances.¹ 18 U.S.C. § 3582(c)(1); *see also* Fed. R. Crim. P. 35 (criminal rule providing that district court may reduce sentence upon motion by the *Government* under certain circumstances, but not permitting the reduction of a sentence upon motion by a defendant).

¹ This statute also allows for reductions in a case where a defendant has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3581(c)(2).

Defendant's motion is denied. The Court does not have authority to modify Defendant's sentence.

DATED this 30th day of June, 2009.



BENJAMIN H. SETTLE
United States District Judge